

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 7, 2005

DIVISION TWO

B175485 People v. Gonzalez (Not for Publication)

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

DIVISION THREE

B176852 People (Not for Publication)
v.
Jesus Jose Gonzalez

The appeal is dismissed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

March 7, 2005 (Continued)

DIVISION FOUR

B171989 Cerevka (Not for Publication)
v.
Cerevka

The judgment is affirmed. Respondent is to recover her costs on appeal.

Epstein, P.J.

We concur: Hastings, J.
Grimes, J. (Assigned)

DIVISION SIX

B177951 People (Not for Publication)
v.
Christopher

The judgment (order of commitment) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

[illegible]

The judgment (order setting aside indictment) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

March 7, 2005 (Continued)

DIVISION SIX (Continued)

[illegible]

We strike the conviction for possession of an assault weapon (count 8 only), and the conviction for being a felon in possession of a firearm (count 10 only). The trial court is directed to prepare an amended abstract of judgment accordingly and forward it to the Department of Corrections. Otherwise, the judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B174578 People (Not for Publication)
v.
Ruiz

The judgment (order setting aside indictment) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B177505 People (Not for Publication)
v.
Ramirez

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

March 7, 2005 (Continued)

DIVISION SIX (Continued)

B174320 Betouliere (Not for Publication)
v.
Bauman

The order of February 9, 2004, awarding the Betoulieres' \$139,389 in attorney's fees is reversed. The order of February 9, 2004, striking the Betoulieres' memorandum of costs is affirmed. Bauman is awarded costs on appeal and cross-appeal.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B171020 People v. Finney (Not for Publication)

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B178190 People (Not for Publication)
v.
Pork

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B178839 Yvonne S. (Not for Publication)

v.

Superior Court, Los Angeles County

(L.A. County Department of Children and Family Services, r.p.i.)

The petition is granted. The matter is remanded to the juvenile court, which is directed to proceed as follows: The court shall vacate its order of October 25, 2004 terminating reunification and setting a hearing pursuant to section 366.26; set a new six-month review hearing no sooner than 90 days after the date of its new order; order the Department to prepare a supplemental report for the hearing, specifically addressing (among other things) the factors listed in paragraph four of section 366.21, subdivision (3); and order reinstatement of family reunification pending the new six-month hearing.

Zelon, J.

We concur: Johnson, Acting P.J.

Woods, J.

B173136 People (Not for Publication)

v.

Jones

The judgment is modified to reflect presentence credit of 847 days, 737 actual and 110 conduct credit (Pen. Code, § 2933.1). As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and forward it to the appropriate authorities.

Zelon, J.

We concur: Perluss, P.J.

Johnson, J.

March 7, 2005 (Continued)

DIVISION SEVEN (Continued)

[illegible]

The order under review is reversed insofar as the juvenile court failed to make findings as to the theoretical maximum period of confinement. We remand for the court to make the findings in conformity with the views expressed in this opinion. In all other respects, the order under review is affirmed.

Zelon, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B171583 Consumer Cause, Inc. (Certified for Publication)
v.
Mrs. Gooches Natural Food Markets, Inc. et al.

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B172421 People (Not for Publication)
v.
Erica M.

Probation condition 15 is modified to read, "Do not associate with anyone known to you to be disapproved of by your parents or probation officer." As modified the juvenile court's order is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Zelon, J.

DIVISION SEVEN (Continued)

B172414 Veguez (Certified for Publication)

v.

Governing Board of the Long Beach Unified School District et al.

The judgment is reversed. The case is remanded with directions to the trial court to vacate its prior writ of mandate conditioning Veguez's reinstatement on a new medical examination by a District physician, to issue a new writ of mandate directing Veguez's reinstatement as of September 4, 2002, and to conduct further proceedings not inconsistent with this opinion to determine the appropriate amount of back pay and benefits to which Veguez is entitled. The parties are to bear their own costs on appeal.

Perluss, P.J.

We concur: Johnson, J.
 Zelon, J.

B173874 People (Not for Publication)

v.

Piskorski

The trial court's January 15, 2004, order imposing a restitution fine (Pen. Code, §1202.4, subd. (B)) of \$400 is ordered stricken. The original restitution fine of \$200 imposed on June 5, 2003, shall be reinstated. The parole revocation fine (Pen. Code, § 1202.45) imposed and stayed on July 2, 2003, is ordered reduced from \$400 to \$200. Assessments and surcharges ordered on January 15, 2004, are ordered stricken. The clerk of the superior court is ordered to prepare an amended abstract of judgment as set forth in this opinion and to forward a copy to the Department of Corrections. As modified, the judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
 Johnson, J.